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CITY OF LOS ANGELES, which includes  
LOS ANGELES DEPARTMENT OF CANNABIS  
REGULATION; AND MICHELLE GARAKIAN,  
in her official capacity

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

VARISCITE, INC. AND KENNETH  
GAY,

Plaintiffs,

V.

CITY OF LOS ANGELES; LOS ANGELES DEPARTMENT OF CANNABIS REGULATION; AND MICHELLE GARAKIAN,

Defendants,

Case No.: 2:22-cv-08685-SPG-SK

Hon. Sherilyn Peace Garnett

**DECLARATION OF JESSE FRIERSON  
IN SUPPORT OF OPPOSITION TO  
APPLICATION FOR TEMPORARY  
RESTRAINING ORDER**

**DECLARATION OF JESSE FRIERSON**

I, Jesse Frierson, do hereby declare:

1. I am an individual who is designated as a Social Equity Individual Applicant (“SEIA”) pursuant to the Social Equity Program administered by the City of Los Angeles’s (“City”) Department of Cannabis Regulation (“DCR”), a defendant in the above-captioned matter.

2. I have personal knowledge of the matters set forth herein and could and would competently testify thereto if called and sworn as a witness.

3. I am submitting this declaration in opposition to any effort to stall or delay the City’s upcoming Phase 3 Retail Round 2 (“P3RR2”) Lottery, which I understand is planned for December 2022. As a SEIA, I am able to participate in the P3RR2 Lottery if and when it proceeds.

4. In order to comply with the regulatory requirements for the City’s cannabis licensing scheme, I have entered into an agreement to hold the property at 7542-7544 Balboa Blvd. in Van Nuys. As part of that agreement, I was obligated to put up ten thousand dollars (\$10,000.00) of my own funds to reserve the property.

5. I had anticipated making a profit from my ten thousand dollar investment after the Lottery is held, if I receive a retail license. However, if the Lottery does not proceed in December 2022, I will lose that investment with no means of recouping it.

6. Moreover, state law requires me to obtain a license from the California Department of Cannabis Control (“DCC”). DCC requires provisional license applications to show that local compliance is underway. DCC has a deadline of March 31, 2022 to submit a provisional license application. If I don’t submit a provisional license application showing that local compliance is underway (*i.e.*, that I have a license or other approval from DCR), I will not be able to proceed with any retail sales under state law for at least one year, when I can submit a complete application to DCC in 2024.

1           7. I am therefore asking the Court not to halt or delay the City's P3RR2  
2 Lottery.

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4           I declare under penalty of perjury under the laws of the State of California and the  
5 United States that the foregoing is true and correct.

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7 Date: November 19, 2022

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